

REMARKS

Claim 1 is the only claim pending in this application.

In the Office Action claim 1 stands rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent 5,657,394 to Schwartz et al. (Schwartz). Applicant expressly incorporates by reference and restates prior arguments made in response to previous rejections and provides the following additional remarks to assist the Examiner reach a better appreciation of the deficiencies of Schwartz. As set forth in these additional remarks, the Schwartz patent fails to teach or even to suggest every element recited in claim 1; accordingly, the rejection under 35 U.S.C. § 102(b) is improper and should be withdrawn. Therefore, Applicant respectfully traverses the prior art rejection, and requests reconsideration and allowance of the pending claim in view of the following remarks.

In the Office Action, the Examiner continues to assert that Schwartz discloses a probe card analyzer and a scrub mark analyzer and first scrub marks on a check plate and second scrub marks on bonding pads. However, Schwartz provides no support for this assertion and the Office Action fails to identify teachings, descriptions or drawings in Schwartz that would support a contention that Schwartz discloses each and every element of claim 1.

The Office Action proposes that Schwartz teaches imaging second scrub marks made by probe card pins on bonding pads, citing reference numeral 200 and claim 1 of Schwartz. Applicant disagrees. Claim 1 of Schwartz is silent on scrub marks and reference numeral 200 identifies a computer.

Claim 1 of Schwartz inspection system for probes in a probe array and, particularly, the imaging of *probe tips* through a window. An probe inspection system that images probe tips through a window cannot reasonably be said to anticipate obtaining images of first and second scrub marks made by probe pins as recited in claim 1 of the present invention. Therefore, the rejection of claim 1 should be withdrawn.

The Office Action describes an element identified by reference numeral 200 in Schwartz as both a data processor and a scrub mark analyzer. In the Specification of Schwartz, element 200 is uniformly identified as a computer and in Figure 8, element 200 is labeled "COMPUTER."

Because Schwartz expressly and unambiguously identifies element 200 as a computer, element 200 cannot reasonably be attributed the functionality of a scrub mark analyzer absent a teaching of such functionality in the written description. No such teaching is provided. Therefore, the rejection of claim 1 should be withdrawn.

At least for the reasons set forth above, Applicant submits that the rejection of claim 1 as anticipated by the Schwartz patent is not supported by the Schwartz Specification as cited by the Examiner, and that claim 1 is allowable. Consequently, Applicant requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

#### CONCLUSION

Based at least upon the foregoing, Applicant submits that the present application is currently in condition for allowance. Early, favorable action on the merits is solicited. The Examiner is invited to telephone the undersigned if it is believed that a discussion will expedite prosecution of this application.

Please charge any fees associated with the submission of this paper to Deposit Account Number 502212. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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